

PRESS RELEASE

USS Pueblo

COMMAND INFORMATION BUREAU

U.S. NAVAL HOSPITAL, SAN DIEGO, CALIFORNIA

TELE: AREA CODE 714 - 239-0254

CI 22-68

MEMORANDUM FOR THE PRESS

27 December 1968

Navy Orders Court of Inquiry

On Pueblo Capture & Detention

The Commander in Chief of the U.S. Pacific Fleet, Admiral John J. Hyland, USN, has convened a Court of Inquiry to "inquire into the circumstances relating to the seizure of the USS PUEBLO (AGER-2) and the subsequent detention of the vessel and the officers and crew."

A message to the Commander Anti-Submarine Warfare Forces, U.S. Pacific Fleet, Vice Admiral Harold G. Bowen, Jr., USN, directed him to be President of the Court and named its members.

The message reads in part, as follows:

"In accordance with Section 0402 of the Judge Advocate General Manual, a Court of Inquiry is hereby appointed to inquire into the circumstances relating to the seizure of the USS PUEBLO (AGER-2) by North Korean Naval Forces, which occurred in the Sea of Japan on 23 January 1968, and the subsequent detention of the vessel and its officers and crew. The court will convene at the U.S. Naval Amphibious Base, Coronado, Calif., as soon as practicable....."

"The court shall consist of you as President, Rear Admiral Marshall W. White, USN (Commander Pacific Middle Range); Rear Admiral Edward E. Grima, USN (Commander Training Command, Pacific); Rear Admiral Richard R. Pratt,

USN (Commander Amphibious Training Command, Pacific); Rear Admiral Allen A. Bergner, USN (Commander Naval Training Command, San Diego) as members. Capt. William R. Newsome, JAGC, USN, a lawyer qualified in the sense of Article 27(B) of the Uniform Code of Military Justice, is hereby designated counsel for the court. Cdr. William E. Clemens, JAGC, USNR, a lawyer qualified in the sense of Article 27(B), UCMJ, is hereby designated as assistant counsel for the court."

"The court is directed to inquire into all the facts and circumstances relating to the subject incident including whether Pueblo did, at any time during the period 10 January 1968 to the time of her seizure, proceed within twelve miles of North Korea, and, if so, whether such action was in accordance with or in violation of any order issued to the Commanding Officer by competent authority. The court will also inquire into the circumstances surrounding the actual boarding, the details of that boarding and the events immediately subsequent to the boarding; and will also inquire into all the facts and circumstances surrounding the subsequent detention of the ship and its officers and crew.

"The court is further directed to inquire into the deaths and injuries to naval personnel, and as appropriate, to perform the duties of an inquest. After deliberation the court shall submit its findings of fact, opinions and recommendations. The court will express its opinion as to the line of duty and misconduct status of any injured personnel and will recommend administrative or disciplinary action as appropriate.

"The court is directed to notify Commander Lloyd Mark Lusher, USN, of the time and place of the meeting of the court and that he is a party to the inquiry and to accord him the rights of a party pursuant to the provisions of Section 0504 of the Judge Advocate General Manual. The court is authorized to designate additional parties to the inquiry during

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the proceedings as may be appropriate. As to the duty of the court to designate parties, attention is particularly invited to Section 0302D(2) of the JAG Manual.

"The court is directed to take the testimony of witnesses under oath and to submit a verbatim record of the proceedings.

"The proceedings of the court will be held in open session except as the interests of national security may require.

"The court will expressly inform any parties and each witness appearing before it that the court is aware that they may have been asked questions and may have disclosed information during the intelligence debriefing process, but that the court has received no information whatsoever concerning matters or facts disclosed and desires to avoid any further reference thereto.

"The court will further insure that, as appropriate, all witnesses are advised not to testify as to matters they believe to be classified without first advising the court that they are about to so testify.

"By signed copy of the appointing order, Commander Naval Air Force, U.S. Pacific Fleet is directed to furnish the necessary reporters and other clerical assistance and logistic support to the court for the purpose of recording the proceedings and preparing the record of this court of inquiry.

"A written appointing order will confirm this message and will be provided as soon as possible."

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The following background materials are available in limited numbers at the Command Information Bureau:

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Photograph and biography of Vice Admiral Bowen

Photograph and biography of Court members

Photograph and biography of Court counsels

Copies of Article 27(D) of the UCMJ

Copies of Section 0304, 0402, 0302D(2) of the Judge Advocate General Manual